

REMARKS

Independent claims 37 and 43, and dependent claims 38, 40-42, 44, 46-47 are pending.

Claims 48-51 have been added. Support for new claims 48-51 can be found at least at Fig. 6 and pages 69-71 of the specification.

The examiner has rejected claims 37, 38, 40-43 and 47 under 35 USC 103(a) over Applicants Admitted Prior art (AAPA) and US Patent No 6,388,658 to Ahern and US Patents 6,385,666 and 6,633,934 to Thornton et al.

The examiner has rejected claims 46 and 47 under 35 U.S.C. § 112, first paragraph as failing to comply with written description requirement. While Applicant respectfully disagrees with this rejection, in order to advance prosecution, Applicant has cancelled the objected to claim language, although Applicant maintains that all of the devices listed in claims 46 and 47 are sufficiently discussed within the current specification, for example at least at pages 31 and 32 of the present application.

The examiner has rejected claims 37 and 43 under Thornton‘666, Thornton‘934, Ahern and AAPA. The applicant has amended claims 37 and 43 to address the Examiner’s concerns. Specifically, the applicant has amended the independent claims to require that the data packets being transmitted be done within a specific time limit. As is clearly discussed in the application, high-quality audio for transmission is one objective of the present invention. “Further, it is an object of the present invention to allow audio generated internal to or external to a remote computer to be played at near CD quality at a user workstation.” See page 21, line 10-13 of the present application. Such high-quality audio requires a certain bit depth and transmission speed to ensure proper audio quality. This packet time limitation has been added to independent claims 37 and 43 and further to new dependent claims 48-51. As noted by Examiner, Applicant has

chosen to clearly define the claim over the prior art by adding the limitation that the data packet being transmitted is done so within a time limit.

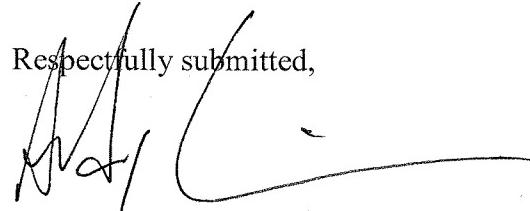
In view of the foregoing amendments and remarks, Applicants respectfully requests favorable reconsideration and allowance of the present application. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, as the case maybe, of the patentability of each on its own merits is respectfully requested. If, however, there are any unresolved issues, it is requested that the Examiner contact Applicants' representative via telephone so that such issues can be quickly resolved.

Correspondence and Fees

Concurrently herewith, Applicants have filed a petition for a three month extension and RCE and have paid the applicable fees. No additional fees are believed to be necessitated by the instant response. However, should a fee be required, authorization is hereby given to charge Deposit Account no. 03-3839 for any underpayment, or to credit any overpayments.

Please address all correspondence to the correspondent address for **Customer No. 26345** of **Intellectual Docket Administrator, Gibbons P.C.**, One Gateway Center, Newark, NJ 07102-5310. Telephone calls should be made to Andrew M. Grodin at (973) 596-4553 and fax communications should be sent directly to him at (973) 639-8355.

Respectfully submitted,



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